

Zoning & Utilities Committee Meeting
Tuesday, February 24, 2009 @ 6:30 PM

ITEM #1

Petition from Bay State Gas Company to replace and maintain 1300' of 4" IP gas main in Sheridan Street (from Montgomery Street to Central Ave).

ITEM #2

ORDERED THAT the request from Western Mass Electric Company for support of its Greater Springfield Reliability Project be forwarded to the Utilities Committee and Zoning Committee.

ITEM #3

Ordinance Amendments to City Code Chapter 275 to further regulate location of nursing homes and accommodate assisted living facilities and over 55 aged restricted housing as follows:

Delete from 275-4 Definitions: "Nursing Homes – Any facility containing beds for two or more patients, established to render domiciliary and/or health care for elderly person and which was lawfully licensed by the state."

Add to 275-4 Definitions: "Nursing Home: Nursing Home as defined in MGL Chapter 111, Section 71. Licensing of convalescent and nursing homes, infirmaries, etc. as amended."

Add to 275-4 Definitions: "Assisted Living Residences: Assisted Living Residence as defined in MGL Chapter 19D, Section 1, Definitions, as amended."

Add to 275-4 Definitions: "Over Age 55 Restricted Housing – A planned development of land consisting of one or more structures constructed expressly for use and residency by persons who have achieved the minimum age requirement for residency of fifty-five (55) years or older, as permitted by MGL Chapter 151B, Section 4, Subsection 6, as amended and developed in accordance with Chicopee City Code Chapter 275-53 dimensional and density requirement."

Delete from 275-58 Business A Districts, Section B (15) "Nursing Homes" and add to 275-58C Special Permits: "(10) Nursing Homes; (11) Assisted Living; (12) Over Age 55 Restricted Housing."

Delete from Chapter 275-59 Business B Districts, Section B (17) "Nursing Homes" and add to 275-59 C Special Permits: "(10) Nursing Homes; (11) Assisted Living; (12) Over Age 55 Restricted Housing."

Add to Chapter 275-62 Industrial Districts Section B, Special Permits (24) "(a) Nursing Homes; (b) Assisted Living; (c) Over Age 55 Restricted Housing."

Add to Chapter 275-62 Industrial Districts Section B, Special Permits (25) "excluding nursing homes, assisted living, over age 55 restricted housing" to follow the word "districts".

ITEM #4

Minutes – Utilities Committee 1/13/09

Minutes – Zoning Committee 12/30/09



CHICOPEE BOARD OF ALDERMEN
ZONING & UTILITIES COMMITTEE

APPROVED 3/31/09

ZONING COMMITTEE MEMBERS

Jean Croteau, Chairman
Dino A. Brunetti, Vice-Chairman
James Tillotson
George Moreau
John Vieau
Fred Krampits
Donald Demers

UTILITIES COMMITTEE MEMBERS

Fred Krampits, Chairman
Timothy McLellan, Vice-Chairman
George Moreau
Jean Croteau
Ronald Belair

MINUTES
February 24, 2009

The following are the minutes of a public hearing held Tuesday, February 24, 2009 at 6:30 PM in the City Council Chambers, Fourth Floor, City Hall Annex, 274 Front Street, Chicopee, MA 01013.

Members Present Croteau, Brunetti, Tillotson, Moreau, Krampits, Demers, Belair

Members Absent McLellan

Also Present Councilor Zygarowski (At-Large), Dan Garvey (City Solicitor), Kate Brown (Planning Director), Chris Nolan (Mayor's Special Projects Manager), Jeff Cady (General Manager, CEL)

The meeting was called to order at 6:30 PM

ITEM #1

Petition from Bay State Gas for permission to replace and maintain 1300' of 4" IP gas main in Sheridan Street (from Montgomery Street to Central Ave)

Robert Tetreault (Field Engineer Technician of Bay State Gas) stated the pipe is in very poor condition, feels it is necessary to upgrade.

Councilor Croteau asked in the work will be done in the road or on the side

Robert Tetreault stated it is 1 ½ ft from the road

Councilor Croteau stated he doesn't want to see any winter weather problems

Robert Tetreault stated they've never had any complaints with their other projects and shouldn't have any with this one

Councilor Tillotson asked when it will be started

Robert Tetreault stated not until the weather gets better

Motion made by Councilor Belair to approve with restrictions.

1. Must notify DPW and comply with their requirements.
Motion passed. Committee Vote: 8-0 favorable

ITEM #2

ORDERED THAT the request from Western Mass Electric Company for support of its Greater Springfield Reliability Project be forwarded to the Utilities Committee and Zoning Committee

Present at meeting: H. Edgar Alejandro (Senior Analyst of Western Massachusetts Electric)
Jeffrey M. Towle (Project Manager of Northeast Utilities System)
Jerry Fan (Project Manager of Burns & McDonnell)

Jeff Towle read through and explained the attached pamphlet of Greater Springfield Reliability Project for Utilities and Zoning Committee for the City of Chicopee.

PUBLIC INPUT:

Don Chapdelaine of 231 Schoolhouse Road stated he would like to see the project pushed more towards the South near the turnpike rather than the residential area.

Jeff Towle stated he will look into the clearance and easement rules and will definitely get back to him with an answer to see if that can be done.

Councilor Tillotson stated he feels the committee gets a recommendation from CEL before voting on it.

Jeff Cady of CEL stated he feels this project is needed but wants to know an estimate as to how these upgrades are going to affect us financially for the next 5 years.

Councilor Vieau asked an estimate of the total cost of project

Jeff Towle stated 714 Million

Councilor Brunetti asked if the property the poles stand on are owned or leased

Jeff Towle stated most are leased and few are owned

Councilor Belair stated whether or not project is approved or denied, transmission rates will go up in the next 5 years. He stated he is more concerned with direct rate of the city and is not in favor unless there is a written agreement between Edgar Alejandro and CEL as to what it will cost down the road.

Jeff Towle stated he doesn't feel it will cost the city and if anything it will only benefit. For example tax revenue, create jobs and 3 to 4 times cheaper and cleaner power.

Councilor Belair stated he still doesn't want to move forward until Jeff Cady is comfortable and gets an estimate.

Councilor Moreau asked if the 714 million is the estimate for Massachusetts

Jeff Cady stated it is for the entire project

Councilor Moreau then asked if 714 million is for the entire project than Chicopee will pay for 30%?

Jeff Cady stated that no, that isn't the case.. the 30% will be for all of Western Mass.

Councilor Moreau stated he just worries about what gets passed onto the rate payers.

Don Chapdelaine asked how many jobs will be given to workers in Massachusetts

Edgar Alejandro stated they are pushing to get as many as they can. Will be holding vending fair first and then job fairs for individuals as well

Jeff Towle added that many materials are special made but they will also buy as much as they can locally when possible

Ed Creek of 241 Schoolhouse Road asked what the height of the old poles compared to the new poles will be

Jeff Towle stated the old poles stand ~85-90 ft and the new ones will stand ~130 ft.

Ed Creek stated he doesn't want to have to have a view of the new poles if for instance he is sitting on his porch. He also agrees with Don Chapdelaine when it comes to building the new poles closer towards the interstate instead of the residential areas.

Jeff Towle stated if they can get the poles out of the view point they will but they also have to be sure to stay away from any wetlands and be sure of the limits of where exactly the poles can be placed, it all depends on regulations.

Ed Creek asked with the 345 volt poles if there will be any noise or electrical interferences

Jeff Towle stated there will not be any noises or electrical interference. Sometimes they may hear something that sounds like rain but will not be often enough to notice and it is not loud.

Tom Bajgier of 221 Schoolhouse Road stated he has a tower already directly behind his house and has to young children, is there any way the tower can be shifted to the right or left

Jeff Towle stated it is hard to completely change the complete location of a pole without changing the whole process because it will then create staggered electrical wires above but he will be more than happy to go out and take a look at the property with Mr. Bajgier

Don Chapdelaine asked if the new poles are typically more spread out compared to the existing poles

Jeff Towle stated no and again they try to lay them out to the old alignment to prevent staggered wires.

Councilor Tillotson stated he would like to have some control whether or not they are satisfied even possibly building own ordinance for this specific project

Councilor Vieau agreed and asked if it didn't get positive support could the project still go through

Jeff Towle stated it would be very difficult

PUBLIC INPUT CLOSED.

Councilor Tillotson stated there is no rush right now so wait and do this right

Jeff Cady asked if they were looking for support or exemption

Jeff Towle stated both; support for project and support for exemption

Councilor Belair stated he thinks all are in favor of the project moving forward, doesn't see any major problems just wants a few more answers before voting

Councilor Krampits stated he heard from Engineering and they request some information on this project as well

Motion made by Councilor Moreau to table until next joint meeting.

Motion passed.

ITEM #3

BE IT ORDAINED by the City Council that the Code of the City of Chicopee for the Year 1991, as amended, be and hereby is further amended as follows:

Delete 275-4 Nursing Home – Any facility containing beds for two or more patients, established to render domiciliary and/or health care for elderly person and which was lawfully licensed by the state.

Add 275-4 Nursing Home as defined in Chapter 111, Section 71. Licensing of convalescent and nursing homes, infirmaries, etc. as amended

Add 275-4 Assisted Living Residence as defined in MGL Chapter 19D, Section 1, Definitions, as amended.

Add 275-4 Over age 55 Restricted Housing – As planned development of land consisting of one or more structures constructed expressly for use and residency by persons who have achieved the minimum age requirement for residency of fifty-five (55) years or older, as permitted by MGL Chapter 151B, Section 4, Subsection 6, as amended and developed in accordance with Chicopee City Code Chapter 275-53 dimensional and density requirement.

Councilor Tillotson stated he would like to see all adopted

Motion made to approve.

Motion passed. Committee Vote: 8-0 favorable

BE IT ORDAINED by the City Council that the Code of the City of Chicopee for the year 1991, as amended, be and is hereby further amended as follows:

275-58 Business A Districts

Delete 275-58 (B) 15 Nursing Homes

Add C Special Permit

(10) Nursing Homes

(11) Assisted Living

(12) Over Age 55 Restricted Housing

Councilor Tillotson stated he wants this approved because it helps clarification

Councilor Moreau agreed

Kate Brown stated she would like (11) & (12) collapsed and add all three, Nursing Homes, Assisted Living and Over Age 55 Restricted Housing to line (10).

BE IT ORDAINED by the City Council that the Code of the City of Chicopee for the year 1991, as amended, be and is hereby further amended as follows:

275-58 Business A Districts

Delete 275-58 (B) 15 Nursing Homes

Add C Special Permit

(10) Nursing Homes, Assisted Living and Over Age 55 Restricted

Motion made by Councilor Tillotson to approve

Motion passed. Committee Vote: 8-0 favorable

Motion made by Councilor Moreau to accept the 12/30/08 Zoning Committee Minutes

Motion passed. All in favor

Motion made by Councilor Belair to accept the 1/13/09 Utilities Committee Minutes

Motion passed. All in favor

BE IT ORDAINED by the City Council that the Code of the City of Chicopee for the year 1991, as amended, be and is hereby further amended as follows:

Chapter 275-59 Business B Districts

Delete B (17) Nursing Homes

Add C Special Permit

(10) Nursing Home

(11) Assisted Living

(12) Over Age 55 Restricted Housing

Kate Brown stated she would like to see the same thing happen here with putting everything under line (10)

BE IT ORDAINED by the City Council that the Code of the City of Chicopee for the year 1991, as amended, be and is hereby further amended as follows:

Chapter 275-59 Business B Districts

Delete B (17) Nursing Homes

Add C Special Permit

(10) Nursing Home, Assisted Living and Over Age 55 Restricted Housing

Motion made by Alderman Moreau to approve

Motion passed. Committee Vote: 8-0 favorable

BE IT ORDAINED by the City Council that the Code of the City of Chicopee for the year 1991, as amended, be and is hereby further amended as follows:

Chapter 275-62 B Special Permits

Add

24 (A) Nursing Home

24 (B) Assisted Living

24 (C) Over Age 55 Restricted Housing

25 After districts. Add "excluding nursing homes, assisted living, over age 55 restricted housing."

Councilor Tillotson stated he wants to delete this due to redundancy.

Motion made by Councilor Tillotson to defeat

Reason: Redundant

Motion passed. Committee Vote: 8-0 to defeat

Motion made by Alderman Belair to adjourn at 8:27PM

Motion passed. All in favor

Meeting Adjourned.